

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. \_\_\_\_\_

UNITED STATES OF AMERICA,	)	
	)	
Petitioner,	)	
	)	
v.	)	CERTIFICATION OF A
	)	SEXUALLY DANGEROUS PERSON
LEROY MILLER,	)	
Register Number 11838-042,	)	
	)	
Respondent.	)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 28th day of December, 2006.

George E. B. Holding  
United States Attorney

BY: /s/ Michael Bredenberg  
Michael Bredenberg  
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Civil Division  
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 28th day of December, 2006, served a copy of the foregoing upon the respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Leroy Miller  
Reg. No.: 11838-042  
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Federal Public Defender's Office  
150 Fayetteville Street Mall  
Suite 450  
Raleigh, North Carolina 27611

/s/ Michael Bredenberg  
Michael Bredenberg  
Special Assistant U.S. Attorney  
Civil Division

**CERTIFICATION OF A SEXUALLY DANGEROUS PERSON**

(1) I, William T. Bickart, am Interim Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following. Inmate LeRoy Miller, Register Number 11838-042, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of an 11-month federal term of imprisonment following his revocation of supervised release. Inmate Miller's original sentence was a 36-month term of imprisonment and three years supervised release, following his conviction for Importation or Transportation of Obscene Materials, Criminal Docket No. 4:03CR00108-001, N.D.Miss. The offense conduct in this case involved inmate Miller masturbating while viewing child pornography on a public library computer. Inmate Miller's current projected release date is December 31, 2006.

(3) Based on a review of inmate Miller's Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as


defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) Inmate Miller previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by having been previously convicted of two counts of sexual assault and sentenced to a seven year prison sentence in Criminal Case No. 96-05-0576, New Jersey Superior Court, Trenton, New Jersey. The offense conduct in that case involved sexual contact with three children under the age of 13;

(b) A limited psychological review of inmate Miller indicated an Axis I diagnosis of Pedophilia, Nonexclusive Type; and

(c) An initial assessment of inmate Miller using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to inmate Miller's current offense conduct, psychological diagnosis, failure to successfully complete a sex offender treatment program, history of substance abuse, and history of failing to comply with requirements of conditional release, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



William T. Bickart  
Interim Chairperson  
Certification Review Panel  
Federal Bureau of Prisons

12/28/06

Date